

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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In Re:

Case No. BKY 01-44137-NCD  
Chapter 7 Case

Watt/Peterson Inc.,

Debtor(s).

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**NOTICE OF HEARING AND  
APPLICATION FOR INTERIM  
COMPENSATION BY ATTORNEYS  
FOR THE TRUSTEE**

TO: The Debtor(s) and other entities specified in Local Rule 9013-3(a)(1).

1. John R. Stoebner, on behalf of Lapp, Libra, Thomson, Stoebner & Pusch, Chtd., attorneys for the Trustee of the above-captioned bankruptcy estate, moves the Court for the relief requested below and gives notice of hearing.

2. The Court will hold a hearing on this motion at 10:30 a.m. on October 27, 2004, in Courtroom No. 7 West, U.S. Courthouse, 300 South Fourth Street, Minneapolis, MN 55415, or as soon thereafter as counsel may be heard.

3. Any entity opposing the motion under Local Rule 9013-2 is required to file and deliver a response, including a memorandum of facts and law and any opposing affidavit, not later than October 22, 2004, which is three days before the above date (excluding Saturdays, Sundays, and holidays), or file and serve a response by mail not later than October 18, 2004, which is seven days before the time set for the hearing (excluding Saturdays, Sundays and holidays). **If no response is timely served and filed, the Court may grant the relief requested without a hearing.**

4. This Court has jurisdiction over this motion pursuant to 28 U.S.C. §157 and §1334, Bankruptcy Rule 5005 and Local Rule 1070-1. This proceeding is a core proceeding. The petition commencing this case as a Chapter 11 was filed on September 21, 2001 and was subsequently converted to a Chapter 7 case on March 4, 2002. The case is now pending in this Court.

5. This motion arises under 11 U.S.C. § 330 and § 331 and Bankruptcy Rule 2016 and Local Rule 2016-1. This motion is filed under Bankruptcy Rule 9014 and Local Rules 9013-1 et seq. Applicant requests relief with respect to allowance of compensation for services rendered and reimbursement for expenses incurred. True and correct copies of all referenced exhibits are attached to the Motion as filed with the Court. A complete copy of this Motion and

attached exhibits may be viewed at the Bankruptcy Court's web site at [www.mnb.uscourts.gov](http://www.mnb.uscourts.gov).

6. Attached to this application as Exhibit "A" is a copy of the Application for Approval of Employment of Applicant dated March 7, 2002, and the Court Order approving the Trustee's employment of John R. Stoebner and Lapp, Libra, Thomson, Stoebner & Pusch, Chtd. (Applicant), as its attorneys pursuant to 11 U.S.C. §§ 327 and 328.

7. Applicant has not received a retainer.

8. Applicant has made no previous application for compensation nor received any payments.

9. No plan has been confirmed.

A plan has been confirmed.

XX Not Applicable.

10. As of the date of this Application, to the best of Applicant's belief, Applicant is not aware of any unpaid chapter 7 administrative expenses, which have been allowed in this case.

11. From March 7, 2002, through September 21, 2004, in the course of representation of the Trustee, Applicant has provided the following legal services:

(A) Represented the estate in connection with the sale of certain assets free and clear of liens, including negotiating the terms of the sale and preparing a motion on an expedited basis seeking approval of the sale of the assets.

These efforts have resulted in recovery for the estate in the amount of \$7,500.00.

In the course of representation of the Trustee on the foregoing matters, Applicant, through members of his firm, has expended a total of 2.50 hours with a reasonable value of \$662.50. Said legal services performed are detailed and separated by task or proceeding on the computer printout daily time records of Applicant, attached hereto as Exhibit "B" and incorporated herein by reference.

(B) Represented the estate in connection with several preference claims and adversary proceedings including drafting complaints, drafting discovery documents, negotiating settlements and obtaining Bankruptcy Court approval of same, preparing, serving and filing a summary judgment motion, preparing, serving and filing an application for default judgment, and attending a mediation session relating to several pending adversary proceedings

These efforts have resulted in recovery for the estate in an amount in excess of \$25,000.00 in connection with the preference actions together with an outstanding judgment in excess of

\$16,000.00. In addition, the estate will receive payments in excess of \$180,000.00 from the settlement reached in the mediation session.

In the course of representation of the Trustee on the foregoing matters, Applicant, through members of his firm, has expended a total of 62.10 hours with a reasonable value of \$14,368.50. Said legal services performed are detailed and separated by task or proceeding on the computer printout daily time records of Applicant, attached hereto as Exhibit "C" and incorporated herein by reference.

**(C) Preparation of Fee Application.**

Services in this matter include preparing this notice of hearing and interim fee application and supporting exhibits.

In the course of representation of the Trustee on the foregoing matters, Applicant, through members of his firm, has expended a total of 3.80 hours with a reasonable value of \$983.00. Said legal services performed are detailed and separated by task or proceeding on the computer printout daily time records of Applicant, attached hereto as Exhibit "D" and incorporated herein by reference.

12. Time for the following persons is included in the application:

John R. Stoebner	Shareholder	(013)	\$265.00 per hour (2002) \$295.00 per hour (2003) \$310.00 per hour (2004)
David A. Harbeck	Shareholder	(028)	\$220.00 per hour (2003) \$235.00 per hour (2004)
Bradley J. Hintze	Associate	(037)	\$110.00 per hour (2003)
Lori A. Frey	Paralegal	(210)	\$100.00 per hour (2002) \$105.00 per hour (2003) \$115.00 per hour (2004)

13. Attached as Exhibit "C" is an itemization of all expenses incurred by Applicant as follows:

Type of Expense	Cost
Facsimiles (\$0.25 per page)	\$ 93.25
Photocopies (\$0.25 per page)	\$232.50
Long Distance Telephone (\$0.10 per minute)	\$ 3.44
Westlaw computerized legal research	\$339.46

Type of Expense	Cost
Postage	\$ 46.00
Secretary of State and U.S. Corporate Services Charges	\$198.00
Total:	\$912.65

14. From March 7, 2002, through September 21, 2004, in the course of representation of the Trustee, Applicant, through members of his firm, has expended a grand total of 68.40 hours with a reasonable value of \$16,014.00 and has incurred expenses of \$912.65. Said legal services performed and expenses incurred are detailed and separated by task or proceeding on the computer printout daily time records of Lapp, Libra, Thomson, Stoebner & Pusch, Chartered, attached hereto as Exhibits "B" through "D" and incorporated herein by reference.

15. The amount set out herein is fair and reasonable for the services performed, is commensurate with fees charged in the community for similar services performed by persons of similar experience in this area and practice of law, and represents reasonable compensation of the actual, necessary services rendered by the Applicant, based on the time, the nature, the extent and the value of such services and the cost of comparable services other than a case under this Title. The expenses and disbursements detailed in Exhibit "C" are the actual and necessary expenses incurred by Applicant.

16. All services for which compensation is herein requested, and all costs and expenses incurred for which reimbursement is herein sought, were performed or expended for and on behalf of the Trustee and not on behalf of any other committee, creditor, or other person other than as set forth above.

17. Applicant has no agreement or understanding with any person for the sharing of compensation received or to be received for services rendered in connection with this proceeding.

18. A final report and account cannot be filed immediately for the reason that the estate needs to complete the following matters: collection of remaining settlement payments and judgment; preparation of the debtor's final tax returns; and claims review and objections. The foregoing matters could take at least six months to complete.

19. There will be sufficient funds available for payment of Chapter 7 administrative expenses after deduction of amounts requested herein.

WHEREFORE, Applicant moves the Court for an Order awarding to Applicant interim attorney's fees in the amount of \$16,014.00 and further awarding to Applicant reimbursement for expenses incurred in the amount of \$912.65, for a total of \$16,926.65; authorizing the Trustee to pay this sum from the funds on hand in the bankruptcy estate; and such other relief as may be just and equitable.

LAPP, LIBRA, THOMSON, STOEbNER  
& PUSCH, CHARTERED

Dated: September 21, 2004

/e/ John R. Stoebner  
John R. Stoebner (#140879)  
One Financial Plaza, Suite 2500  
120 South Sixth Street  
Minneapolis, MN 55402  
612/ 338-5815

Attorneys for the Trustee

**VERIFICATION**

I, John R. Stoebner, on behalf of Lapp, Libra, Thomson, Stoebner & Pusch, Chartered, the moving party named in the foregoing Notice of Hearing and Application, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information, and belief.

Executed on: September 21, 2004

Signed: /e/ John R. Stoebner  
John R. Stoebner

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## **EXHIBIT A**

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

Watt/Peterson, Inc., and  
Cimarron Printing, Inc.,

Debtors.

BKY Case No. 01-44137-NCD; and  
BKY Case No. 01-44479-NCD  
Chapter 7  
Jointly Administered

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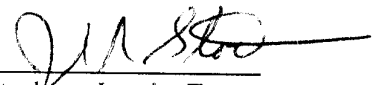
APPLICATION FOR APPROVAL OF EMPLOYMENT OF ATTORNEY


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1. Applicant is the interim trustee in each of these cases.
2. Applicant believes that the employment of an attorney is necessary to represent or assist the trustee in carrying out the trustee's duties as follows: to investigate, review, and pursue potential avoidance claims for each bankruptcy estate; to file a motion to sell assets free and clear of liens and to represent the estates in connection with the sale free and clear; to file any necessary objections to claims; and to represent the estates in connection with prosecuting any necessary avoidance actions.
3. John R. Stoebner of Lapp, Libra, Thomson, Stoebner & Pusch, Chartered, 120 South Sixth Street, Suite 2500, Minneapolis, MN 55402; 612-338-5815, is qualified by reason of practice and experience to render such representation or assistance.
4. Proposed compensation and reimbursement of expenses is as follows: \$265.00 per hour for John R. Stoebner, \$100.00 per hour for paralegal services, and the normal hourly rate for other attorneys in the firm.
5. Said professional has disclosed to the undersigned that he has the following connections with the debtor(s), creditors, any other party-in-interest, their respective attorneys and accountants, the United States Trustee or any person employed in the Office of the United States Trustee: He is the Interim Chapter 7 Trustee for each of the above-referenced bankruptcy estates.
6. The interim trustee has made the following efforts to recover the asset prior to submitting this Application: has reviewed the Chapter 11 docket and certain documents of the debtors and has determined that further investigation is merited.

WHEREFORE, applicant prays that the Court approve such employment by the interim trustee.

Dated: March 7, 2002

  
\_\_\_\_\_  
John R. Stoebner, Interim Trustee  
One Financial Plaza, Suite 2500  
120 South Sixth Street  
Minneapolis, MN 55402  
(612) 338-5815

Filed on	3/7/02
Patrick G. DeWane, Clerk	
By 	Deputy Clerk

1391-1

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

**In re:**

**Watt/Peterson, Inc., and  
Cimarron Printing, Inc.,**

**Debtors.**

**BKY Case No. 01-44137-NCD; and  
BKY Case No. 01-44479-NCD  
Chapter 7  
Jointly Administered**

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**VERIFIED STATEMENT PURSUANT TO FEDERAL RULE 2014(a)**

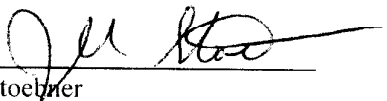
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I, John R. Stoebner of Lapp, Libra, Thomson, Stoebner & Pusch, Chartered, the professional named in the application for employment on behalf of each of the above named bankruptcy estates, declare under penalty of perjury the following:

1. I do not hold or represent any interest adverse to the estates and am disinterested as required by 11 U.S.C. § 327.
2. I do not have any connections to the debtor, creditors, any other party in interest, their respective attorneys and accountants, the United States trustee, or any person employed in the offices of the United States Trustee, except for the following: I am the Interim Chapter 7 Trustee for each of the above-referenced bankruptcy estates.

Dated: March 7, 2002

By: \_\_\_\_\_

  
John R. Stoebner  
Address: 120 South Sixth Street, Suite 2500  
Minneapolis, MN 55402  
Phone: 612-338-5815



**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

**In re:**

**Watt/Peterson, Inc.  
Cimarron Printing, Inc.**

**Bky Case. No.: 01-44137  
01-44479**

**Debtor(s).**

**Chapter 7**

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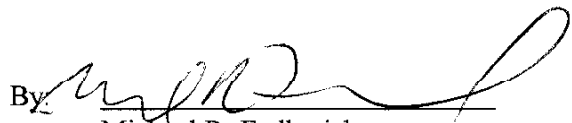
**RECOMMENDATION OF THE UNITED STATES TRUSTEE**

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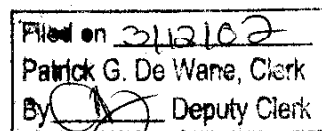
On March 8, 2002, the Application to Employ John R. Stoebner of Lapp, Libra, Thomson, Stoebner & Pusch as attorney was received in the Office of the United States Trustee. The United States Trustee recommends that the employment be approved for the following purpose: to investigate, review, and pursue potential avoidance claims for each bankruptcy estate; to file a motion to sell assets free and clear of liens and to represent the estates in connection with the sale free and clear; to file any necessary objections to claims; and to represent the estates in connection with prosecuting any necessary avoidance actions.

Dated: 3/11/02

**BARBARA G. STUART  
UNITED STATES TRUSTEE  
Region 12**

By:   
Michael R. Fadlovich  
Trial Attorney  
MN ATTORNEY NO 158410  
1015 U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415  
(612) 664-5500

cc: Chapter 7 Trustee  
Professional



140-1

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

**In re:**

**Watt/Peterson, Inc., and  
Cimarron Printing, Inc.,**

**Debtors.**

**BKY Case No. 01-44137-NCD; and  
BKY Case No. 01-44479-NCD  
Chapter 7  
Jointly Administered**

**ORDER**

On March 12, 2002, the Application to Employ John R. Stoebner of Lapp, Libra, Thomson, Stoebner & Pusch, Chartered as attorney for each of the bankruptcy estates came before the undersigned. Based on the Application, the Recommendation of the United States Trustee, and pursuant to the provisions of Title 11, United States Code, § 327,

IT IS HEREBY ORDERED the professional employment applied for, namely, to investigate, review, and pursue potential avoidance claims for both of the bankruptcy estates; to file a motion to sell assets free and clear of liens and to represent both estates in connection with the sale free and clear; to file any necessary objections to claims; and to represent both estates in connection with prosecuting any necessary avoidance actions, is hereby approved subject to the limitations on compensation provided by Title 11, United States Code, § 328.

Dated. March 12, 2002

/s/ Nancy C. Dreher

United States Bankruptcy Judge

NOTICE OF ELECTRONIC ENTRY AND  
FILING ORDER OR JUDGMENT  
Filed and Docket Entry made on 3/14/02  
Patrick G. De Wane, Clerk, By KK

e146-1

## **EXHIBIT B**

# LAPP LIBRA THOMSON STOEBCNER & PUSCH CHARTERED

## Work In Process

Report ID: AC1050 - 6316  
 Tuesday, September 21, 2004

Beginning To End

Printed By 210  
 Page 1

Client-Matter		Client Reporting Name			Matter Reporting Name		Billing Timekeeper					
0004873-02048I		GENERAL TRUSTEE MATTERS			WATT PETERSON		013	STOEBNER, JOHN R.				
<u>Originating Timekeeper</u>												
013		STOEBNER, JOHN R.										
<u>Date</u>	<u>Timekeeper</u>	<u>Hours Worked</u>	<u>Hours To Bill</u>	<u>Rate</u>	<u>Amount</u>	<u>Narrative</u>	<u>Task Code</u>	<u>Activity Code</u>	<u>Budget Phase</u>	<u>Code 1</u>	<u>Code 2</u>	<u>Code 3</u>
03/07/2002	013	2.20	2.20	265.00	583.00	PREPARE EXPEDITED MOTION FOR APPROVAL OF SALE OF ASSETS FREE AND CLEAR OF LIENS; REVIEW INFORMATION IN FILE AND ON COURT'S DOCKET CONCERNING SAME.						
03/10/2002	013	.30	.30	265.00	79.50	REVISE PROPOSED ORDER.						
<u>Timekeepers</u>		<u>Hours Worked</u>		<u>Hours To Bill</u>		<u>Rate</u>	<u>Amount</u>					
013		2.50		2.50		265.00	662.50					
<b>Timekeeper Totals</b>			2.50		2.50		\$662.50					
<b>Bill Total</b>					\$662.50							
<b>Last Active</b>					1/1/1900							
<b>Last Payment</b>												
		<u>Hours Worked</u>	<u>Hours To Bill</u>	<u>Amount</u>	<u>Expenses</u>		<u>Bill Total</u>					
<b>Grand Total</b>		2.50	2.50	\$662.50	\$0.00		\$662.50					

\*\*\* End Of Report \*\*\*

## **EXHIBIT C**

# LAPP LIBRA THOMSON STOEbNER & PUSCH CHARTERED

## Work In Process

Report ID: AC1050 - 6317  
 Tuesday, September 21, 2004

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 Page 1

Client-Matter		Client Reporting Name				Matter Reporting Name		Billing Timekeeper				
0004873-02048J		GENERAL TRUSTEE MATTERS				WATT PETERSON		013	STOEBNER, JOHN R.			
<u>Originating Timekeeper</u>												
013	STOEBNER, JOHN R.											
<u>Date</u>	<u>Timekeeper</u>	<u>Hours Worked</u>	<u>Hours To Bill</u>	<u>Rate</u>	<u>Amount</u>	<u>Narrative</u>	<u>Task Code</u>	<u>Activity Code</u>	<u>Budget Phase</u>	<u>Code 1</u>	<u>Code 2</u>	<u>Code 3</u>
03/03/2003	013	.60	.60	295.00	177.00	ATTENTION TO STATUS OF PREFERENCE AND FRAUDULENT TRANSFER ANALYSIS.						
03/13/2003	013	1.30	1.30	295.00	383.50	MEETING WITH ACCOUNTANT LINDA BERREAU TO DISCUSS POTENTIAL PREFERENCE AND OTHER AVOIDANCE CLAIMS.						
05/08/2003	013	.50	.50	295.00	147.50	ATTENTION TO RECEIPT OF FACSIMILE FROM OPPOSING ATTORNEY WISOTZKEY WITH PROPOSED REVISIONS TO SETTLEMENT AGREEMENT; INTEROFFICE CONFERENCE WITH ASSISTANT REGARDING SAME.						
05/12/2003	210	.40	.40	105.00	42.00	REVISE MENASHA SETTLEMENT AGREEMENT. DRAFT CORRESPONDENCE TO ATTORNEY WISOTZKEY SENDING REVISED SETTLEMENT AGREEMENT.						
05/12/2003	013	.40	.40	295.00	118.00	REVIEW REVISED SETTLEMENT AGREEMENT; SIGN LETTER TO OPPOSING ATTORNEY WISOTZKEY.						
07/03/2003	210	.50	.50	105.00	52.50	DRAFT ORDER APPROVING MENASHA SETTLEMENT. DRAFT CORRESPONDENCE TO JUDGE DREHER FILING SAME. E MAIL SAME TO JUDGE DREHER FOR FILING.						
08/28/2003	013	2.00	2.00	295.00	590.00	ATTENTION TO REVIEW OF AND REVISIONS TO DRAFT DISCOVERY DOCUMENTS FOR USE IN SEVERAL PENDING ADVERSARY PROCEEDINGS.						
10/01/2003	028	1.50	1.50	220.00	330.00	INTEROFFICE CONFERENCE WITH ATTORNEY STOEBNER REGARDING PREFERENCE AND FRAUDULENT TRANSFER ACTIONS; REVIEW FILE MATERIALS REGARDING SAME AND PREPARE ANALYSIS AND STRATEGY FOR LITIGATION OF SAME.						
10/02/2003	028	3.50	3.50	220.00	770.00	COMPLETE PREFERENCE ANALYSIS FOR VARIOUS PREFERENCE ACTIONS; INTEROFFICE CONFERENCE WITH ATTORNEY STOEBNER REGARDING SAME.						
10/03/2003	013	1.30	1.30	295.00	383.50	REVIEW FINAL DRAFTS OF COMPLAINTS IN 10 ADVERSARY PROCEEDINGS; INTEROFFICE CONFERENCE WITH ATTORNEY REGARDING SAME.						
10/03/2003	028	3.50	3.50	220.00	770.00	DRAFT COMPLAINTS IN ALL PREFERENCE CASES; ATTENTION TO SERVICE ADDRESSES FOR EACH.						
10/07/2003	013	2.20	2.20	295.00	649.00	REVIEW PREFERENCE CLAIM FILES;						

# LAPP LIBRA THOMSON STOEbNER & PUSCH CHARTERED

## Work In Process

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Client-Matter		Client Reporting Name			Matter Reporting Name		Billing Timekeeper
10/27/2003	028	1.50	1.50	220.00	330.00	ATTENTION TO DRAFTING COMPLAINT; REVIEW AND REVISE COMPLAINTS.	
10/28/2003	028	1.30	1.30	220.00	286.00	INTEROFFICE CONFERENCE WITH ATTORNEY STOEbNER REGARDING RESPONSES TO COMPLAINT; DRAFT CORRESPONDENCE TO OPPOSING COUNSEL REGARDING SAME.	
10/30/2003	028	1.50	1.50	220.00	330.00	REVIEW AND REVISE CORRESPONDENCE REGARDING VARIOUS ADVERSARY PROCEEDINGS; DRAFT DISCOVERY REQUESTS.	
11/03/2003	028	1.00	1.00	220.00	220.00	REVIEW INCOMING CORRESPONDENCE FROM ROAD RUNNER TRANSPORTATION REGARDING ORDINARY COURSE DEFENSE; INTEROFFICE CONFERENCE WITH ATTORNEY STOEbNER REGARDING SAME; DRAFT SETTLEMENT AGREEMENT REGARDING JIFFY-JR. ADVERSARY PROCEEDING.	
11/04/2003	013	.60	.60	295.00	177.00	INTEROFFICE CONFERENCE WITH ATTORNEY STOEbNER REGARDING STATUS OF JIFFY JR. ADVERSARY PROCEEDING; DRAFT CORRESPONDENCE TO OPPOSING PARTY REGARDING SAME; REVIEW AND REVISE SETTLEMENT AGREEMENT; DRAFT SETTLEMENT AGREEMENT REGARDING BRENNTAG ADVERSARY PROCEEDING; TELEPHONE CONFERENCE WITH OPPOSING COUNSEL REGARDING SAME.	
11/04/2003	013	.40	.40	295.00	118.00	TELEPHONE CONFERENCE WITH OPPOSING COUNSEL REGARDING POSSIBLE SETTLEMENT OF PENDING ADVERSARY PROCEEDING REGARDING ROADRUNNER TRANSPORTATION; REVIEW FILE CONCERNING SAME.	
11/04/2003	028	.50	.50	220.00	110.00	TELEPHONE CONFERENCE WITH OPPOSING COUNSEL REGARDING POSSIBLE SETTLEMENT OF PENDING ADVERSARY PROCEEDING REGARDING BAX GLOBAL; REVIEW FILE CONCERNING SAME.	
11/05/2003	028	3.50	3.50	220.00	770.00	TELEPHONE CONFERENCE WITH OPPOSING COUNSEL REGARDING SETTLEMENT NEGOTIATIONS; INTEROFFICE CONFERENCE WITH ATTORNEY STOEbNER REGARDING SAME.	
11/06/2003	028	.30	.30	220.00	66.00	DRAFT SETTLEMENT AGREEMENT REGARDING FEDERAL EXPRESS, BAX GLOBAL AND ROAD RUNNER TRANSPORTATION ADVERSARY PROCEEDINGS; DRAFT STATUS SUMMARY REGARDING ALL ADVERSARY PROCEEDINGS.	
						ATTENTION TO STATUS OF VARIOUS	

# LAPP LIBRA THOMSON STOEbNER & PUSCH CHARTERED

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Client-Matter		Client Reporting Name			Matter Reporting Name		Billing Timekeeper
11/07/2003	028	1.50	1.50	220.00	330.00	ADVERSARY PROCEEDINGS; REVIEW INCOMING CORRESPONDENCE FROM OPPOSING PARTIES REGARDING SAME. REVIEW INCOMING CORRESPONDENCE FROM OPPOSING COUNSEL REGARDING ANSWER IN QUALITY QUICK BINDERY MATTER; DRAFT DISCOVERY REQUESTS REGARDING SAME.	
11/10/2003	028	2.50	2.50	220.00	550.00	REVIEW INCOMING CORRESPONDENCE FROM OPPOSING COUNSEL REGARDING SETTLEMENT OF BRENNTAG ADVERSARY PROCEEDING; DRAFT DEFAULT MOTION PAPERS REGARDING BOTTCHE AMERICA ADVERSARY PROCEEDING; TELEPHONE CONFERENCE WITH OPPOSING COUNSEL REGARDING CON-WAY TRANSPORTATION ADVERSARY PROCEEDING.	
11/12/2003	028	.20	.20	220.00	44.00	REVIEW INCOMING CORRESPONDENCE FROM COURT REGARDING SCHEDULING ORDERS.	
11/17/2003	013	.70	.70	295.00	206.50	PLACE CALL TO ANDREA SWENHART TO FOLLOW UP ON STATUS OF BAX GLOBAL SETTLEMENT; ATTENTION TO STATUS OF OTHER PENDING ADVERSARY PROCEEDINGS.	
11/17/2003	013	.50	.50	295.00	147.50	DRAFT NOTICE OF DISMISSAL AND ORDER REGARDING CLARK BROS. ADVERSARY PROCEEDING.	
11/17/2003	028	2.00	2.00	220.00	440.00	REVIEW INCOMING CORRESPONDENCE FROM OPPOSING COUNSEL REGARDING CON-WAY TRANSPORTATION SETTLEMENT OFFER; REVIEW MATERIALS REGARDING ORDINARY COURSE DEFENSE; INTEROFFICE CONFERENCE WITH ATTORNEY STOEbNER REGARDING SETTLEMENT POSITION; DRAFT SETTLEMENT AGREEMENT.	
11/25/2003	028	.20	.20	220.00	44.00	INTEROFFICE CONFERENCE WITH ATTORNEY STOEbNER REGARDING STATUS OF VARIOUS ADVERSARY PROCEEDINGS.	
12/08/2003	210	.40	.40	105.00	42.00	DRAFT ORDER APPROVING ADVERSARY SETTLEMENTS FOR BAX, FEDERAL EXPRESS, BRENNTAG, JIFFY JR., AND ROAD RUNNER. DRAFT CORRESPONDENCE TO JUDGE DREHER FILING SAME.	
12/11/2003	013	.40	.40	295.00	118.00	TELEPHONE CONFERENCE WITH ANDREA SWINHART REGARDING STATUS OF SETTLEMENT; DICTATE CORRESPONDENCE CONCERNING SAME.	
12/15/2003	028	.10	.10	220.00	22.00	TELEPHONE CONFERENCE WITH OPPOSING COUNSEL REGARDING QUALITY QUICK BINDERY DISCOVERY RESPONSES AND SETTLEMENT POTENTIAL.	
12/22/2003	028	.40	.40	220.00	88.00	REVIEW INCOMING CORRESPONDENCE FROM	



# LAPP LIBRA THOMSON STOEbNER & PUSCH CHARTERED

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Client-Matter		Client Reporting Name			Matter Reporting Name		Billing Timekeeper
12/29/2003	028	.50	.50	220.00	110.00	OPPOSING COUNSEL REGARDING DISCOVERY RESPONSES; ATTENTION TO STRATEGY REGARDING SAME.	
12/29/2003	037	.70	.70	110.00	77.00	REVIEW INCOMING CORRESPONDENCE FROM OPPOSING COUNSEL REGARDING QUALITY QUICK BINDERY PAYMENT HISTORY; INTEROFFICE CONFERENCE WITH ATTORNEY HINTZE REGARDING SUMMARY JUDGMENT MOTION.	
12/29/2003	037	4.60	4.60	110.00	506.00	REVIEW FILE WITH ATTENTION TO PLEADINGS DRAFT SUMMARY JUDGMENT MOTION & NOTICE OF MOTION, MEMORANDUM OF LAW, AFFIDAVIT	
12/30/2003	028	2.00	2.00	220.00	440.00	REVIEW AND REVISE SUMMARY JUDGMENT MEMORANDUM; LEGAL RESEARCH REGARDING SAME.	
12/30/2003	037	.80	.80	110.00	88.00	REVIEW AND REVISE MEMORANDUM OF LAW, MOTION & NOTICE OF MOTION, AFFIDAVIT	
12/31/2003	028	1.50	1.50	220.00	330.00	REVIEW AND REVISE SUMMARY JUDGMENT MOTION PAPERS; INTEROFFICE CONFERENCE WITH ATTORNEY HINTZE AND ATTORNEY STOEbNER REGARDING SAME.	
01/05/2004	210	.50	.50	115.00	57.50	DRAFT ORDER APPROVING CON WAY ADVERSARY SETTLEMENT. DRAFT CORRESPONDENCE TO JUDGE DREHER FILING SAME. E MAIL SAME.	
01/05/2004	028	.50	.50	235.00	117.50	DRAFT CORRESPONDENCE TO OPPOSING COUNSEL REGARDING SUPPLEMENTATION OF DISCOVERY RESPONSES; INTEROFFICE CONFERENCE WITH ATTORNEY STOEbNER REGARDING SAME.	
01/07/2004	028	.10	.10	235.00	23.50	REVIEW INCOMING CORRESPONDENCE FROM OPPOSING COUNSEL REGARDING SIGNED DISCOVERY RESPONSES.	
01/09/2004	013	1.00	1.00	310.00	310.00	REVIEW FILE AND REVISE AFFIDAVIT OF JOHN R. STOEbNER AND MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT AGAINST QUALITY QUICK BINDERY SERVICES, INC.	
01/09/2004	028	1.00	1.00	235.00	235.00	REVIEW AND REVISE SUMMARY JUDGMENT MOTION PAPERS; ATTENTION TO SCHEDULING OF MOTION; DRAFT PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FOR JUDGMENT.	
01/12/2004	028	.10	.10	235.00	23.50	REVIEW INCOMING CORRESPONDENCE FROM COURT REGARDING AMENDED SCHEDULING ORDER.	
02/02/2004	013	.50	.50	310.00	155.00	REVIEW AND REVISE PROPOSED ORDER RE ZONNE BOOKBINDERS ADVERSARY PROCEEDING.	

# LAPP LIBRA THOMSON STOEBCNER & PUSCH CHARTERED

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02/02/2004	210	.40	.40	115.00	46.00	DRAFT ORDER APPROVING ZONNE ADVERSARY SETTLEMENT. DRAFT CORRESPONDENCE TO JUDGE DREHER FILING SAME.	
02/26/2004	028	.50	.50	235.00	117.50	TELEPHONE CONFERENCE WITH OPPOSING COUNSEL REGARDING NOTICE OF HEARING; ATTENTION TO STATUS.	
02/27/2004	028	.30	.30	235.00	70.50	ATTENTION TO STATUS; REVIEW INCOMING CORRESPONDENCE FROM OPPOSING COUNSEL REGARDING SAME; TELEPHONE CONFERENCE WITH OPPOSING COUNSEL REGARDING SAME.	
04/23/2004	210	.60	.60	115.00	69.00	DRAFT SATISFACTION OF BOTTCHEER JUDGMENT. E FILE SAME. DRAFT FAX TO LINDA HANZLIK AT BOTTCHEER SENDING COPY OF APPROVED SETTLEMENT AND FILED SATISFACTION OF JUDGMENT.	
05/12/2004	013	.50	.50	310.00	155.00	REVIEW DEFAULT JUDGMENT DOCUMENTS REGARDING HARBOR INDUSTRIES.	
05/25/2004	013	5.00	5.00	310.00	1,550.00	ATTEND MEDIATION SESSION REGARDING PENDING ADVERSARY PROCEEDINGS AGAINST KOEHLER AND PFIEFFER, U.S. BANK, DACOTAH BANK, AND UNIVERSAL PENSIONS INC.	
06/09/2004	028	1.50	1.50	235.00	352.50	DRAFT POST-JUDGMENT DISCOVERY REQUESTS TO QUALITY QUICK BINDERY.	
07/13/2004	028	.30	.30	235.00	70.50	REVIEW INCOMING CORRESPONDENCE FROM OPPOSING COUNSEL REGARDING QUALITY QUICK DISCOVERY RESPONSES.	
07/14/2004	028	.10	.10	235.00	23.50	REVIEW INCOMING CORRESPONDENCE FROM OPPOSING COUNSEL REGARDING QUALITY QUICK BINDERY.	
09/03/2004	013	1.00	1.00	310.00	310.00	TELEPHONE CONFERENCE WITH OPPOSING COUNSEL HENNEY REGARDING FAILURE TO RESPOND TO REQUEST FOR PRODUCTION OF DOCUMENTS; DICTATE CORRESPONDENCE CONCERNING SAME.	
09/08/2004	013	.50	.50	310.00	155.00	LEAVE VOICEMAIL WITH OPPOSING ATTORNEY HENNEY REGARDING DISCOVERY DISPUTE; DICTATE CORRESPONDENCE CONCERNING SAME.	
09/13/2004	013	.40	.40	310.00	124.00	ATTENTION TO RECEIPT OF EMAIL MESSAGE FROM OPPOSING ATTORNEY HENNEY REGARDING HIS INABILITY TO RESPOND TO REQUEST FOR PRODUCTION OF DOCUMENTS; REPLY TO SAME.	

<u>Timekeepers</u>	<u>Hours Worked</u>	<u>Hours To Bill</u>	<u>Rate</u>	<u>Amount</u>
013	10.90	10.90	295.00	3,215.50
013	8.90	8.90	310.00	2,759.00

# LAPP LIBRA THOMSON STOEBCNER & PUSCH CHARTERED

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Client-Matter	Client Reporting Name		Matter Reporting Name		Billing Timekeeper
028	29.00	29.00	220.00	6,380.00	
028	4.40	4.40	235.00	1,034.00	
037	6.10	6.10	110.00	671.00	
210	1.30	1.30	105.00	136.50	
210	1.50	1.50	115.00	172.50	
<b>Timekeeper Totals</b>	62.10	62.10		\$14,368.50	

<u>Disbursements</u>	<u>Expense Code</u>	<u>Amount</u>	<u>Narrative</u>	<u>Task Code</u>	<u>Budget Phase</u>	<u>Code 1</u>	<u>Code 2</u>	<u>Code 3</u>
03/07/2002	800	28.25	DOCUMENT COPYING					
03/11/2002	813	56.00	FAX					
03/14/2002	813	6.00	FAX					
03/14/2002	813	1.00	FAX					
04/02/2002	810	80.75	U.S. CORPORATE SERVICES, INC. - WATT/PETERSON, INC.					
04/04/2002	813	.50	FAX					
03/31/2003	801	.04	LONG DISTANCE TELEPHONE					
04/04/2003	800	10.25	DOCUMENT COPYING (41 COPIES @ .25 EA.)					
04/04/2003	812	46.00	POSTAGE (46 @ .37)					
04/24/2003	813	1.25	FAX					
04/30/2003	813	2.25	FAX					
04/30/2003	801	.24	LONG DISTANCE TELEPHONE					
05/07/2003	813	1.25	FAX					
05/13/2003	813	1.25	FAX					
05/31/2003	801	.05	LONG DISTANCE TELEPHONE					
07/11/2003	810	61.25	U.S. CORPORATE SERVICES					
07/18/2003	810	52.00	SECRETARY OF STATE COSTS					
09/16/2003	800	11.75	DOCUMENT COPYING					
09/30/2003	801	.21	LONG DISTANCE TELEPHONE					
10/08/2003	800	67.50	DOCUMENT COPYING					
10/10/2003	800	2.25	DOCUMENT COPYING					
10/28/2003	813	2.25	FAX					
10/28/2003	813	.50	FAX					
10/28/2003	813	.75	FAX					
10/28/2003	813	.75	FAX					
10/31/2003	801	.84	LONG DISTANCE TELEPHONE					
11/05/2003	813	3.00	FAX					
11/05/2003	813	2.50	FAX					
11/07/2003	800	6.50	DOCUMENT COPYING					
11/10/2003	813	1.00	FAX					
11/11/2003	813	1.00	FAX					

# LAPP LIBRA THOMSON STOEbNER & PUSCH CHARTERED

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Client-Matter		Client Reporting Name	Matter Reporting Name	Billing Timekeeper	
11/30/2003	801	1.13	LONG DISTANCE TELEPHONE		
12/31/2003	801	.05	LONG DISTANCE TELEPHONE		
12/31/2003	828	339.46	WESTLAW		
01/05/2004	813	2.00	FAX		
02/26/2004	813	1.00	FAX		
03/03/2004	813	3.00	FAX		
03/03/2004	810	4.00	SECRETARY OF STATE		
03/11/2004	800	88.50	DOCUMENT COPYING		
03/31/2004	801	.75	LONG DISTANCE TELEPHONE		
04/23/2004	813	2.50	FAX		
05/07/2004	800	12.25	DOCUMENT COPYING		
06/07/2004	800	2.00	DOCUMENT COPYING		
06/09/2004	800	3.25	DOCUMENT COPYING		
06/09/2004	813	3.50	FAX		
06/30/2004	801	.13	LONG DISTANCE TELEPHONE		
<u>Exp Code</u>		<u>Amount</u>			
800		232.50			
801		3.44			
810		198.00			
812		46.00			
813		93.25			
828		339.46			
<b>Disbursement Totals</b>		<b>\$912.65</b>			
			<b>Bill Total</b>	\$15,281.15	
			<b>Last Active</b>	9/17/2004	
			<b>Last Payment</b>		
		<u>Hours Worked</u>	<u>Hours To Bill</u>	<u>Expenses</u>	<u>Bill Total</u>
<b>Grand Total</b>		62.10	62.10	\$912.65	\$15,281.15

\*\*\* End Of Report \*\*\*

## **EXHIBIT D**

# LAPP LIBRA THOMSON STOEbNER & PUSCH CHARTERED

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Client-Matter	Client Reporting Name	Matter Reporting Name	Billing Timekeeper	
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0004873-02048K	GENERAL TRUSTEE MATTERS	WATT PETERSON	013	STOEbNER, JOHN R.
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Originating Timekeeper

013 STOEBNER, JOHN R.

<u>Date</u>	<u>Timekeeper</u>	<u>Hours Worked</u>	<u>Hours To Bill</u>	<u>Rate</u>	<u>Amount</u>	<u>Narrative</u>	<u>Task Code</u>	<u>Activity Code</u>	<u>Budget Phase</u>	<u>Code 1</u>	<u>Code 2</u>	<u>Code 3</u>
09/17/2004	013	2.30	2.30	310.00	713.00	REVIEW TIME AND BILLING RECORDS AND REVIEW AND REVISE INTERIM FEE APPLICATION.						
09/20/2004	013	.50	.50	310.00	155.00	ATTENTION TO FINAL REVIEW AND REVISIONS TO INTERIM ATTORNEY FEE APPLICATION.						
09/21/2004	210	1.00	1.00	115.00	115.00	FINALIZE ATTORNEY FEE APPLICATION, EXHIBITS, PROPOSED ORDER, AND UNSWORN CERTIFICATE. ATTENTION TO E FILING AND SERVICE OF SAME.						

<u>Timekeepers</u>	<u>Hours Worked</u>	<u>Hours To Bill</u>	<u>Rate</u>	<u>Amount</u>
013	2.80	2.80	310.00	868.00
210	1.00	1.00	115.00	115.00
<b>Timekeeper Totals</b>	3.80	3.80		\$983.00

**Bill Total** \$983.00  
**Last Active** 9/21/2004

**Last Payment**

	<u>Hours Worked</u>	<u>Hours To Bill</u>	<u>Amount</u>	<u>Expenses</u>	<u>Bill Total</u>
<b>Grand Total</b>	3.80	3.80	\$983.00	\$0.00	\$983.00

\*\*\* End Of Report \*\*\*

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re: ) Chapter 7  
 ) Case No. 01-44137-NCD  
Watt/Peterson, Inc., )  
 )  
Debtor(s) )

**UNSWORN CERTIFICATE OF SERVICE**

I, Sarah L. Fortin, declare under penalty of perjury that on September 21, 2004, I mailed copies of the attached **Notice of Hearing and Application for Interim Compensation by Attorneys for the Trustee, and proposed Order** by first class mail postage prepaid to each entity named below at the address stated below for each entity:

SERVED WITH EXHIBITS

U.S. Trustee  
1015 U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

SERVED WITHOUT EXHIBITS

Please see attached Service List

Executed on: September 21, 2004

/s/ Sarah L. Fortin  
Sarah L. Fortin, Legal Secretary  
Lapp, Libra, Thomson, Stoeber &  
Pusch, Chartered  
120 South Sixth Street, Suite 2500  
Minneapolis, MN 55402  
612/338-5815

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

-----  
In Re:

Case No. BKY 01-44137-NCD  
Chapter 7 Case

Watt/Peterson Inc.,

**ORDER ALLOWING INTERIM  
COMPENSATION TO ATTORNEYS  
FOR THE TRUSTEE**

Debtor(s).  
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The above-entitled matter came on for hearing before the undersigned Bankruptcy Judge on the 27th day of October, 2004, notice having been given and opportunity for objection having been had at said hearing and the Court being fully advised in the premises,

IT IS HEREBY ORDERED:

Lapp, Libra, Thomson, Stoebner & Pusch, Chartered, is awarded the sum of \$16,014.00 as interim compensation as attorneys for the Trustee in the above-referenced matter and is further awarded the sum of \$912.65 as and for reimbursement of expenses incurred and advanced, for a total currently due of \$16,926.65. Said amount is to be paid at this time by the Trustee from the funds on hand in the bankruptcy estate.

Dated: \_\_\_\_\_, 2004

\_\_\_\_\_  
Nancy C. Dreher  
United States Bankruptcy Judge